

Remarks

In view of the above amendments and the following remarks, reconsideration of the rejections and further examination are requested.

Claims 1, 7 and 8 have been rejected under 35 USC §102(b) as being anticipated by Granzotto (U.S. 6,757,392). Claims 1, 7 and 8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Granzotto, Granzotto in view of Reinhold, Jr. (U.S. 5,339,823), and Granzotto in view of Marangoni (US 4,535,783).

Claim 1 has been amended so as to include a feature similar to the feature previously recited in claim 7, as well as other features, so as to further distinguish the present invention, as recited therein, from the references relied upon in the rejections. Further, claims 7, 8 and 10 have been canceled without prejudice or disclaimer to the subject matter contained therein, and new claims 12 and 13 have been added.

It is submitted that the above-mentioned rejections are inapplicable to the amended claims for the following reasons.

Claim 1 is patentable over Granzotto, the combination of Granzotto and Reinhold, Jr. and the combination of Granzotto and Marangoni, since claim 1 recites an electrocardiograph including, in part, a body case for holding to a chest portion of a subject; a pair of arm portions extending from and being attached to opposite sides of the body case, respectively; and a suspending means for suspending the body case and the pair of arm portions from a neck of the subject, wherein the body case and the pair of arm portions form a T-shape, and the suspending means suspends the body portion and the pair of arm portions from the neck of the subject such that the T-shape is inverted. Neither Granzotto, nor either of the combinations, discloses or suggests these features of claim 1.

Granzotto discloses an electronic stethoscope including a headpiece 1 and earpieces 3 including bows 31. The headpiece 1 includes a contact ring 20 having a ring section 20a and two arc shaped arms 18 connected to the ring section 20a by pivot joints 19. The arc shaped arms 18 each include an electrode 17. The headpiece 1 also includes a number of sensors 15 and an electrode 16. When the headpiece 1 is used to record an electrocardiogram, the arc shaped arms 18 are swiveled away from the ring section 20a such that the electrodes 17 located thereon are pivoted away from the contact ring 20 to form an Einthoven triangle 10. (See column 3, lines 23-36; column 3, line 41 – column 4, line 16; and Figures 1, 3 and 4).

In the rejection, the headpiece 1 is relied upon as corresponding to the claimed body case, the arc shaped arms 18 are relied upon as corresponding to the claimed pair of arm portions, and the bows 31 are relied upon as corresponding to the claimed suspending means. However, claim 1 now recites that the body case and the pair of arm portions form a T-shape. On the other hand, Granzotto discloses that the arc shaped arms 18 and the headpiece 1 form the Einthoven triangle 10 and not a T-shape. Further, claim 1 recites that the suspending means suspends the body case and the pair of arm portions from the neck of the subject such that the T-shape is inverted. It is also apparent that there is no disclosure or suggestion that the bows 31 of Granzotto operate in this manner. Therefore, at least one of Reinhold, Jr. and Marangoni must disclose or suggest these features of claim 1.

Regarding Reinhold, Jr., it discloses a portable heart monitor 10 including a left leg electrode LL, a right arm electrode RA and six precordial electrodes V1, V2, V3, V4, V5 and V6. (See column 4, lines 30-53; column 6, lines 4-24 and Figure 2). However, it is apparent that Reinhold fails to disclose or suggest the body case, pair of arm portions, and suspending means as recited in claim 1.

As for Marangoni, it discloses a measuring electrode 7 having a cup or lid-shaped measuring head 14 with an arcuate top surface 15 adapted to be placed on a patient's skin. A pressure switch 21 is electrically connected between an output of an ECG amplifier and a recording device and is disposed inside of a wall part 20. When the electrode 7 and the wall part 20 actuate the pressure switch 21, the output of the ECG amplifier is connected to the recording device. (See column 3, line 66 – column 4, line 38 and Figures 4-5B). However, it is apparent that Marangoni fails to disclose or suggest the body case, pair of arm portions, and suspending means as recited in claim 1.

Since neither Reinhold, Jr., nor Marangoni, addresses the deficiencies of Granzotto, it is submitted that no combination of Granzotto, Reinhold, Jr. and/or Marangoni discloses or suggests the present invention as recited in claim 1.

Claims 4, 5, 10 and 11 have been rejected under 35 USC §102(b) as being anticipated by Granzotto (U.S. 6,757,392). Claims 4, 5, 10 and 11 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Granzotto, Granzotto in view of Reinhold, Jr., and Granzotto in view of Marangoni and Reinhold, Jr.


Regarding claims 4, 5 and 11, they are submitted to be patentable over the references relied upon in the rejections at least based on their dependency from claim 1.

Because of the above-mentioned distinctions, it is believed clear that claims 1, 4, 5 and 11-13 are allowable over the references relied upon in the rejections. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 1, 4, 5 and 11-13. Therefore, it is submitted that claims 1, 4, 5 and 11-13 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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